

**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN  
COMPETITION (OVERSEAS CONTRACTING ACTIVITIES)**

1. I recommend that Embassy Jakarta use other than full and open competition for the acquisition of JCLEC Training Center. The estimated cost is \$ . , for all twelve iterations of training for classrooms, interpreters, course kit, photograph and IT support.
2. Nature and/or description of the action being approved.  
DS ATA will be hosting three (3) iterations each of First Responder to a Terrorist Incident and (FRTI) (one week each) and nine (9) iterations each of First Responder Medical Stabilization (FRMS) (one week each) courses. The first week of training is the FRTI course and 75 participants attend this classroom based course. During the second week of training the 75 participants break into three smaller groups of 25 for a hands-on first aid/medical stabilization course. These series of courses will be offered for three cycles.
3. A description of the supplies or services required to meet the agency's needs.  
DS/ATA will host all 12 courses in JCLEC. The courses require adequate classroom space for groups of 75 and 25 respectively. The facility must also be able to lodge and feed this same complement of students. Two or more interpreters are required for each iteration of training as well as audio, visual and IT support. There is no other hotel or training academy, that is known to this office, that can support these requirements at such a reasonable cost.  
*Attached Scope of Work on the RFQ requirement*
4. An identification of the statutory authority permitting other than full and open competition.  
*41 USC 253(c)(2), FAR 6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements.*  
It is likely that ATA would have to contract with more than one vendor to find accommodation for 75 participants. It is also likely that the vendors would be in Jakarta and command much higher rates. JCLEC can provide a training venue that will support the first aid/medical response training elements of this course. Commercial space (hotels etc) are not set up to do this.
5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions; also required for unusual and compelling urgency where more than one offer will not be solicited).  
JCLEC is the only training facility in Indonesia that can give us services that offer classrooms, training facility infrastructure, interpreters, logistical support, lodging and meals for 75 students at a time and the prices are very reasonable compared to other less adequate venues.

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable. The description should include whether a FedBizOpps notice was or will be publicized, as required by FAR 5.2, and if not, which exception under FAR 5.202 applies (e.g., blanket waiver provided in DOSAR 605.202-70).

*DOSAR 605.202-70*

*This procurement request has estimate total amount of \$ that requires competitions with at least 3 sources, and public advert locally for 10 days. However there is no need for public advertisement on the FedBizOpps. JCLEC is a recommended vendor by the Indonesian National Police and the Regional Security Office because they are located within the National Police Academy, have excellent security screening at the main entrance to the Pusdik and again at the entrance to the JCLEC academy. Their staff has been vetted to include the interpreters and ATA is assured that the training materials (containing sensitive first responder strategies) are handled and secured properly.*

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

*In late 2012 and early 2013 JCLEC costs were compared to hotel and conference space in Jakarta and environs. Factoring in classroom space, room and board for participants, transportation, technical support and interpreters the savings for a two week course averages approximately \$38,600.*

8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.

The following other places were reviewed but were not adequate because of the following:

**-Gumaya Hotel** – Not as secure and further from the base and rate offered higher and above max lodging.

**-Ciputra Hotel** – Facilities not as conducive to meetings required and rate offered higher. Security is very minimal due to co-location of shopping mall.

9. Any other facts supporting the use of other than full and open competition.

N/A

10. A listing of sources, if any that expressed, in writing, an interest in the acquisition.

N/A

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

DS/ATA as requesting office will continue to follow the market availability to check if there is any other provider are able to provide the facilities and services that meet DS/ATA requirements. With that we will be able to get the best possible cost for the Government.

### CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

April 3, 2013      Wendy Argenti  
Date                      Name  
Title DS ATA Program Manager  
Requirements Office

I certify that this submission is accurate, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

4/4/13              Iraa H. Chui  
Date                      Contracting Officer  
Procurement Office